

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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<p>In re: LTL MANAGEMENT, LLC, Debtor.</p>	<p>Chapter 11 Case No.: 21-30589(MBK) Honorable Michael B. Kaplan</p>
<p>LTL MANAGEMENT LLC, Plaintiff, v. THOSE PARTIES LISTED ON APPENDIX A TO COMPLAINT and JOHN AND JANE DOES 1-1000, Defendants.</p>	<p>Adv. Pro. No. 21-03032 (MBK)</p>

**DECLARATION OF ADAM C. SILVERSTEIN IN SUPPORT OF
OBJECTION OF THE OFFICIAL COMMITTEE OF TALC CLAIMANTS TO
DEBTOR'S MOTION FOR AN ORDER (I) DECLARING THAT THE AUTOMATIC
STAY APPLIES TO CERTAIN ACTIONS AGAINST NON-DEBTORS OR (II)
PRELIMINARILY ENJOINING SUCH ACTIONS AND (III) GRANTING A
TEMPORARY RESTRAINING ORDER PENDING A FINAL HEARING**

I, Adam C. Silverstein, pursuant to 28 U.S.C. § 1746, declare, under penalty of perjury, that the following is true and correct:

1. I am a Member of the firm of Otterbourg P.C., co-counsel to the Official Committee of Talc Claimants (the “Official Committee”).

2. I submit this declaration in connection with the *Debtor’s Motion for an order (I) Declaring that the Automatic Stay Applied to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing* [Adv. Pro. Dkt. No. 2] in order provide the Court, for its convenience, copies of (i) transcripts of proceedings before the United States Bankruptcy Court for the Western District of North Carolina (the “North Carolina Court”), (ii) exhibits previously placed in the record in the North Carolina Court by talc claimants in connection with Motion and (iii) certain other filings that appear on the public dockets in other cases, all referred to in the Objection of the Official Committee of Talc Claimants to the Debtor’s Motion for an Order (I) Declaring that the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions Against Non-Debtors and (III) Granting a Temporary Restraining Order Pending a Final Hearing (the “Objection”).

3. Set forth below is a chart describing each of the attached exhibits referred to in the Objection filed contemporaneously herewith.

Ex.	Claimants’ Exhibit No.¹	Description
1	Cl. Ex. 5	Transcript of Hearing of Temporary Restraining Order on October 22, 2021 in this Adversary Proceeding
2	NA	Transcript of Hearing of Preliminary Injunction (“PI”) on November 4, 2021 in this Adversary Proceeding

¹ “Claimants’ Exhibit No” and “Cl. Ex.” Refers to the Joint Claimants’ exhibits that were admitted into the record during the November 4-5, 2021 Preliminary Injunction Hearing in the Western District of North Carolina, Case No. 21-30589 (MBK), and related adversary proceeding Adv. Pro. No. 21-03032 (MBK).

Ex.	Claimants' Exhibit No. ¹	Description
3	NA	Transcript of PI Hearing on November 5, 2021 in this Adversary Proceeding
4	Cl. Ex. 50	Johnson & Johnson (“J&J”) and Cyprus Mines Agreement dated January 6, 1989
5	Cl. Ex. 6	<i>Olson v. J&J et al.</i> Transcript 5/3/2019
6	Cl. Ex. 4	Transcript of the Deposition of John Hopkins taken on January 28, 2019 in <i>Leavitt and McElroy v. Johnson & Johnson, et al.</i>
7	Omitted	Omitted
8	Cl. Ex. 12	Email dated December 17, 2018 with attachment J&J “What We Know” Advertisement Review Email
9	Cl. Ex. 14	J&J CEO Alex Gorsky Twitter Video, December 2018 ²
10	Cl. Ex. 15	CNN “Mad Money” Screenshot Featuring J&J CEO Alex Gorsky
11	NA	Transfer Order [MDL Dkt. No. 1] dated October 4, 2016 filed in <i>In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation</i> , 3:16-md-02738-FLW-LHG (the “MDL”)
12	NA	Notice of Filing [MDL Dkt. No. 24441]
13	Cl. Ex. 138	Debtor’s Answers and Objection to Plaintiffs’ Steering Committee First Set of Interrogatories executed on October 28, 2021 in this Adversary Proceeding
14	Cl. Ex. 17	Jury Verdict Sheets dated March 13, 2019 in <i>Leavitt and McElroy v. Johnson & Johnson, et al.</i>
15	Cl. Ex. 18	Jury Verdict Sheets dated August 19, 2021 in <i>Prudencio v. Johnson & Johnson, et al.</i>
16	Cl. Ex. 19	Jury Verdict Sheets dated September 11, 2019 in <i>Barden v. Johnson & Johnson, et al.</i>
17	Cl. Ex. 16	Transcript of hearing on May 21, 2019 in <i>Olsen v. Johnson & Johnson, et al.</i>
18	NA	Brief for Defendants-Appellants [NYSCEF Doc. No. 50] dated August 6, 2021 in <i>Olson v. Brenntag N. Am. Inc.</i>
19	Cl. Ex. 128	Decision by Missouri Court of Appeals dated June 23, 2020 in <i>Ingham, et al. v. Johnson & Johnson,</i>
20	Cl. Ex. 155	Transcript of Jury Instructions dated February 26, 2020 in <i>Moure-Cabrera v. Johnson & Johnson, et al.</i>
21	Cl. Ex. 29	Transcript of hearing on September 3, 2019 in <i>Barden et al. v. Brenntag et al.</i>
22	Cl. Ex. 26	J&J Interrogatory Responses filed May 13, 2019 in <i>McNeill-George v. Brenntag, et al.</i>
23	Cl. Ex. 51	Deposition Transcript of Kevin Neat taken on August 6, 2021 in <i>Prudencio v. Johnson & Johnson, et al.</i>

² The video file for Cl. Ex. 14 will be provided to the Court upon request.

Ex.	Claimants' Exhibit No. ¹	Description
24	NA	Memorandum of Law in Support of J&J's and Johnson & Johnson Consumer Inc's ("JJCI") Motion to Fix Venue for Claims Related to Imery's Bankruptcy filed on April 18, 2019 in <i>In re Imerys Talc America, Inc., et al.</i> ("Imerys") Civ. Action No. 19-mc-00103 (MN) (D. Del. 2019) (the "Imerys Civ. Action") [Imerys Civ. Action Dkt. No. 2]
25	NA	Reply Memorandum of Law in Further Support of J&J's and JJCI's Motion to Fix Venue for Claims Related to Imery's Bankruptcy [Imerys Civ. Action Dkt. No. 81] filed on May 28, 2019
26	Cl. Ex. 129	J&J's Motion for Entry of Order Modifying Automatic Stay filed on March 20, 2020 in <i>In re Imerys Talc America, Inc.</i> Case No. 19-10289 (LSS) ("Imerys Bankr."), [Imerys Bankr. Dkt. No. 1567]
27	Cl. Ex. 136	J&J's Omnibus Reply in Support of J&J's Motion for Entry of Order Modifying Automatic Stay [Imerys Bankr. Dkt. No. 1769] filed on May 28, 2020
28	NA	Memorandum of Law in Support of the Official Committee of Tort Claimants' and the Future Claimants' Representative's Motion for Temporary Restraining Order and Preliminary Injunction filed on July 28, 2021 in <i>In re Imerys</i> , Adv. Pro. No. 21-51006 ("Imerys Adv. Pro.") [Imerys Adv. Pro. Dkt. No. 5]
29	NA	Declaration of Mark A. Fink in Support of Motion for Temporary Restraining Order and Preliminary Injunction filed on July 28, 2021 [Imerys Adv. Pro. Dkt. No. 6]
30	NA	Transcript of Hearing dated July 23, 2021 in <i>Reyes v. Johnson & Johnson, et al.</i>
31	Cl. Ex. 35	Debtor's Answers and Objections to Defendants' First Set of Interrogatories and Request for Admission dated October 28, 2021
32	Cl. Dep. Ex. 2	Transcript of deposition of Susan Schirger-Ward Deposition taken on October 31, 2021 in this Adversary Proceeding
33	NA	Second Amended Complaint filed June 22, 2020 in <i>Atlanta International Insurance v. Johnson & Johnson</i> , MID-L-003563-19 (N.J. Super.)
34	Cl. Ex. 52	J&J Interrogatory Responses filed on May 10, 2017 in <i>Herford v. AT&T Corp. et al.</i>
35	Cl. Ex. 53	J&J Interrogatory Responses in <i>Kerkhof et al. v. Brenntag et al.</i>
36	Cl. Ex. 54	J&J Interrogatory Responses filed on April 2, 2018 in <i>Von Salzen v. Am. Inter. Indus. et al.</i>
37	Cl. Ex. 55	J&J Interrogatory Responses filed on September 20, 2018 in <i>Lopez v. Brenntag et al.</i>
38	Cl. Dep. Ex. 3	Transcript of deposition of Adam Lisman Deposition taken on October 30, 2021 in this Adversary Proceeding, including the errata sheet signed by Adam Lisman.
39	NA	Notice of Filing filed on September 21, 2021 [MDL Dkt. No. 25298]

Ex.	Claimants' Exhibit No. ¹	Description
40	Cl. Ex. 133	Email dated October 26, 2021 from Susan Sharko to Judge Schneider regarding stay of MDL
41	Cl. Ex. 134	J&J's Reply Brief to PSC's Memorandum of Law regarding Stay of MDL [MDL Dkt. No. 26052] filed on October 26, 2021
42	Cl. Ex. 135	Email dated October 27, 2021 from Wayne Fang forwarding correspondence from Chief Judge Wolfson
43	Cl. Ex. 132	J&J Form 8-K, dated October 19, 2021
44	NA	Transcript of First Day Hearing held on October 20, 2021 in main bankruptcy case <i>In re LTL Management LLC</i>
45	NA	Transcript of proceedings held on November 10, 2021 in this Adversary Proceeding.
46	Cl. Ex. 141	Tender letter dated April 10, 2017
47	Cl. Ex. 142	Tender letter dated April 10, 2017
48	Cl. Ex. 125	Fox Verdict Sheet
49	Cl. Ex. 126	Ristesund Verdict Sheet
50	Cl. Ex. 127	Slemp Verdict Sheet
51	Cl. Ex. 156	Moure-Cabrera Verdict Sheet

I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York State on December 22, 2021.

/s/ Adam C. Silverstein

Adam C. Silverstein